



## City of Seattle

Gregory J. Nickels, Mayor

### Department of Planning and Development

Diane M. Sugimura, Director

#### **CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2401908  
**Applicant Name:** Melissa LeDoux for Cobb Construction & Assoc. LLC  
**Address of Proposal:** 830 NE 66<sup>th</sup> ST

#### **SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one (1) parcel into three (3) unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of a two (2) unit townhouse and single family residence has been issued under Project #2400135 (Bldg. Permit #742017).

The following approval is required:

**Short Subdivision** - To subdivide one (1) existing parcel into three (3) unit lots pursuant to Seattle Municipal Code (SMC) 23.24.

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

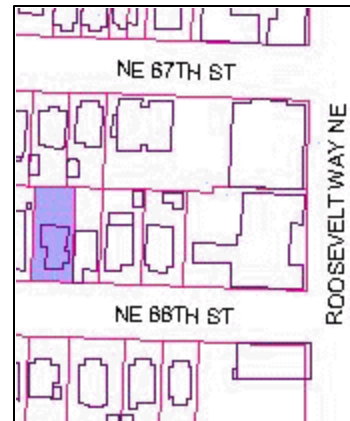
☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or  
involving another agency with jurisdiction

## **BACKGROUND DATA**

### **Site Description and Area Development**

The subject property is approximately 4,630 square feet and is zoned Multi-family Residential Lowrise 1 (L-1). The lot has approximately 45 feet of street frontage along NE 66<sup>th</sup> St. and a depth of approximately 103 feet. NE 66<sup>th</sup> St. at this location is developed with curbs, gutters, or sidewalks on either sides of the street pavement. There is no mapped or observed City of Seattle designated Environmentally Critical Area (ECA) on the site.



### **Proposal Description**

The applicant proposes to short subdivide one parcel into three unit lots. Proposed unit lot parcel sizes are: A) 2,114 square feet, B) 1,258 square feet and C) 1,258 square feet. DPD Project Number 2400135, permit 742017 to demolish an existing single family residence, and construct one family dwelling with attached garage and one two (2) unit townhouse with attached garages has been approved at the time of this decision. Vehicle access for the units is from NE 66th ST.

### **Public Comment**

One written comment letter was received on May 19, 2004 after the comment period (which ended on April 28, 2004) requesting an extension to the comment period to allow additional time to review the proposal. In response a card was mailed to the requestor to contact the assigned DPD Planner for discussion of the application.

## **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings, which follow, are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

### *1. Conformance to the applicable Land Use Code provisions;*

The existing parent lot subject to this subdivision conforms to all development standards of the L-1 zone. The parent lot configuration provides adequate buildable area to meet applicable density, setbacks, lot coverage requirements and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions.

### *2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;*

Each of the proposed unit lots will have adequate access for vehicles, utilities and fire protection via a proposed ingress, egress, and utilities easement that provides frontage along NE 66<sup>th</sup> St. The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

Seattle City Light provides electrical service to the subject property and has indicated an easement is required. The easement identified in the Seattle City Light memorandum, dated May 6, 2004 and 'SHORT SUBDIVISION NO. 2401908 P.M. #250405-4-013 Easement (Overhead and Underground)' shall be included on the final plat prior to recording.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

Water Supply: Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 2004-0370 on April 9, 2004. All conditions on the certificate must be met prior to receiving water service.

Sanitary Sewer: Both public and private, have been resolved, or will be resolved, at the time of side sewer permit issuance.

Drainage: Both public and private, have been resolved, or will be resolved, at the time of side sewer permit issuance.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

There is no mapped or observed City of Seattle Environmentally Critical Area on the proposal site.

6. *Is designed to maximize the retention of existing trees;*

Not applicable, as the development of the subject site is permitted by approval of the associated building permit.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision:

*"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

### **CONDITIONS - SHORT SUBDIVISION**

#### Conditions of Approval Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate State statute. The property corners set shall be identified on the plat, as well as all surface easements and vehicle and pedestrian easements. Encroachments and freestanding fences or walls shall be graphically shown and their height and distances to existing and proposed property lines noted. All existing and proposed structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. The Seattle City Light easement described in the Seattle City Light memorandum dated May 6, 2004 and "SHORT SUBDIVISION NO. 2401908 P.M. #250405-4-013 Easement (Overhead and Underground)" shall be included on the final plat prior to recording.
3. Insert the following on the face of the plat: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*
4. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress, utility, and pedestrian easements.
5. Post an address sign to benefit all units at location visible from NE 66<sup>th</sup> St. and provide an easement, covenant, or other legal agreement to ensure that the address signage is maintained.

Signature: (signature on file) Date: June 14, 2004

Colin R. Vasquez, Land Use Planner  
Department of Planning and Development